

Remarks

New Non-Final Office Action Requested to Address Claims 43-45

As filed, the present application included claims 1-45. However, the 9 February 2006 Office action does not address claims 43-45. The status of claims 43-45 is thus not clear. It is respectfully requested that a non-final Office action addressing claims 43-45 be issued.

Canceled Claims and Corrected Informalities

Claims 40-42 are canceled without prejudice or disclaimer of the subject matter recited therein.

Claims 7, 11, 34-36, and 38 are amended to correct informalities, without limiting the scope of those claims.

Claims Objections

The Examiner raised objections to claims 32 and 33. Claims 32 and 33 are amended to depend from claims 11 and 21, respectively, in compliance with the requirement by the Examiner. Reconsideration of the objection to claims 32 and 33 is requested.

§ 112 Rejection

Claim 1 is rejected based on 35 U. S. C. § 112, second paragraph. Claim 1 is amended to change "the ignition switch activation" to "the power-on state" and "the first seat switch activation state" to "the first seat switch first state," without limiting the scope of claim 1. Reconsideration of the § 112 rejection of claim 1 is thus requested.

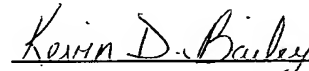
§ 102(e) Rejection

Independent claims 1, 11, 21, and 34, are rejected under 35 U. S. C. § 102(e) based on Padgett, U. S. Patent No. 6,643,577. Padgett discloses a number of switches (e.g., power switch 57, implement disabling switch 31). However, nowhere does Padgett disclose any seat switch. Padgett thus fails to anticipate claims 1, 11, 21, and 34 in view of the seat switches recited therein. Accordingly, reconsideration

of the § 102(e) rejection of independent claims 1, 11, 21, and 34 as well as all rejected claims depending therefrom is requested.

It is respectfully requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time sufficient to effect a timely response and shortages in other fees be charged, or any overpayment in fees be credited, to Deposit Account No. 04-0525 with reference to attorney docket number 15913-US.

Respectfully,

A handwritten signature in cursive script, reading "Kevin D. Bailey", is positioned above a horizontal line.

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